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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,057	04/24/2001	Kenji Matsuoka	04329.2561	3706

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EXAMINER

LIN, WEN TAI

ART UNIT PAPER NUMBER

2154

DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/840,057

Applicant(s)

MATSUOKA, KENJI

Examiner

Wen-Tai Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |

### **DETAILED ACTION**

1. Claims 1-6 are presented for examination.
2. The text of those sections of Title 35, USC code not included in this action can be found in the prior Office Action.

### ***Claim Rejections - 35 USC § 103***

3. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dancs et al. (hereafter "Dancs") [U.S. Pat. No. 6385651], in view of AAPA (Applicant Admitted Prior Art), STARWEB [JP-2001265912A], and Stewart et al. (hereafter "Stewart") [U.S. Pat. No. 6732176].
4. Dancs, STARWEB, and Stewart were cited in the previous office action.
5. As to claim 1, Dancs teaches the invention substantially as claimed including: a method of an Internet connection information registration service [Abstract; Figs. 1 and 3-5], comprising the steps of:  

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performing a service for registering Internet connection information, which includes a user ID and user password [col.2, lines 31-36; 1026, Fig.7; 3002, Fig.13], for

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Internet connection on a portable recording medium [102, Fig.1; i.e., the smart card] by a write terminal [101, Fig.1] and is capable of connecting the portable recording medium while the portable recording medium is being connected to the write terminal [Abstract: lines 4-19];

Dancs does not specifically teach that the registering Internet connection information also includes mail account, mail password, and access point. However, AAPA teaches that besides the user ID and user password, information such as mail account, mail password, and access point also acquired for future correspondence [e.g., paragraphs 3 and 27].

It would have been obvious to one of ordinary skill in the art to include, at the time of registering Dancs' smart card, additional information such as mail account, mail password, and access point because the mailing account etc. would facilitate the communication between Bancs' clients and service providers.

Dancs does not specifically teach that the above registration process is performed at a write terminal [i.e., a computer client device] that is installed in a store, wherein the store obtains a predetermined compensation from a provider selected by a user.

However, STARWEB teaches that business model exists for paying remuneration to stores or persons who introduce new subscribers to a fee service provision system in Internet [page 1]. Further, Stewart; teaches that local wireless network maintainer may provide a mechanism for users to register or subscribe to an

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external network provider, e.g., an external ISP, and receive referral fee [Stewart; col.15, lines 40-47].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Dancs, STARWEB and Stewart; by allowing network service stores to register new subscribers for selected ISP and obtaining predetermined compensation from the provider because by doing so it would promote broader use of the selected ISP.

6. As to claim 2, Dancs does not specifically teach that the registration service involves a developer who provides the system (i.e., both software and hardware) that is necessary to perform the service. However, Stewart teaches that the business model as mentioned provides a stable numeration payment system according to each person's effort [see Stewart's "ADVANTAGE" paragraph on page 1].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to also compensate the developer of the Internet connection information registration service because the developer's effort also contributes to the Internet provider's revenue and therefore should also receive proper compensation in accordance with Stewart's business model, wherein all the relevant parties get compensated in accordance with their contribution.

7. As to claim 3, Dancs further teach the step of sending a notification representing completion of registration of the Internet connection information on the portable

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recording medium by the write terminal from the terminal [note that this is an inherent step when a registration is completed].

Dancs does not specifically teach that notification representing completion of registration is sent to an agreement count apparatus of the Internet connection information registration service developer for counting the number of subscribers to each provider in units of stores, and periodically sending a count result from the agreement count apparatus as basis for calculation of the compensation. However, Stewart teaches that the business model as mentioned adds each new subscriber to a branch of tree structure, of a person who introduces the subscriber [See Stewart's "Novelty" paragraph of page 1]. As such, it is clear that Stewart's remuneration is calculated based upon the number of new subscribers being brought into to the ISP service.

It would have been obvious to one of ordinary skill in the art that (1) the best time to count a new subscriber is at the completion of registration because this is the event that a new subscriber gets to be recognized by the selected ISP; (2) the counting can be performed periodically, because Stewart's business model is built on stable network environment wherein contribution can be naturally accumulated and rewarded periodically [see Stewart's "ADVANTAGE" paragraph on page 1].

8. As to claims 4-6, since the features of these claims can also be found in claims 1-3, they are rejected for the same reasons set forth in the rejection of claims 1-3 above.

9. Applicant's arguments with respect to claims 1-6 on 2/25/2005 have been considered but are moot in view of the new ground(s) of rejection.
10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
11. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969.

The examiner can normally be reached on Monday-Friday(8:00-5:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)872-9306 for official communications; and

(571)273-3969 for status inquiries draft communication.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

May 5, 2005

*Allen-Tai Lin*  
5/5/05